

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:20-CR-228-FL-1

UNITED STATES OF AMERICA

v.


NICHOLAS JAMES RIZZUTO

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ORDER

This matter comes before the court on defendant's motions in limine and motion to sever filed yesterday. (DE 20, 21, 22, 23, 24). Where the instant motions are identical in substance to those filed and ruled upon in prior case 5:18-CR-352-FL-1, the court adheres to its rulings in that case, and for the reasons stated in open court in that case on January 21, 2020, incorporated herein by reference, the court orders as follows:

1. Defendant's motion to sever (DE 24) is DENIED.
 2. Defendant's motion in limine regarding witness testimony and for injunctive relief (DE 20) is DENIED IN PART and GRANTED IN ALTERNATIVE PART.
 3. Defendant's motion in limine to exclude text messages (DE 21) is DENIED.
 4. Defendant's motion in limine regarding witness testimony (DE 22) is DENIED.
 5. Defendant's motion in limine to exclude evidence under Rules 403 and 404(b) (DE 23) is GRANTED IN ALTERNATIVE PART and TAKEN UNDER ADVISEMENT IN PART.
- SO ORDERED, this the 9th day of June, 2020.


LOUISE W. FLANAGAN
United States District Judge